

AO 91 (Rev. 08/09) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the  
Western District of Texas

United States of America

v.

ELIJIO GARCIA

Case No. SA15-MJ-796

Filed 09/21/15  
 Clerk, U. S. District Court  
 Western District of Texas  
 By [Signature]  
 Deputy

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of SEPTEMBER 19, 2015 in the county of BEXAR in the  
WESTERN District of TEXAS, the defendant(s) violated:

## Code Section

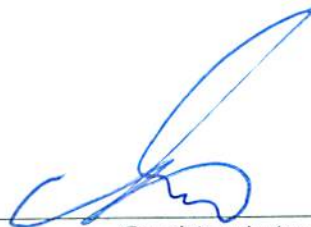
21/846, 841(a)(1), &amp; 841(b)(1)(A)

## Offense Description

Conspiracy to Possess With Intent to Distribute at least 50 grams of  
Methamphetamine.

Penalties: 10 years to life imprisonment;  
 Maximum fine \$10,000,000 fine;  
 At least 5 years supervised release;  
 \$100 Mandatory special assessment

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.


Complainant's signature

Bryan Smith, TFO, DEA

Printed name and title

Sworn to before me and signed in my presence.

Date:

9/21/2015

City and state:

SAN ANTONIO, TX


Judge's signature

JOHN W. PRIMOMO, U.S. MAGISTRATE JUDGE

Printed name and title

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

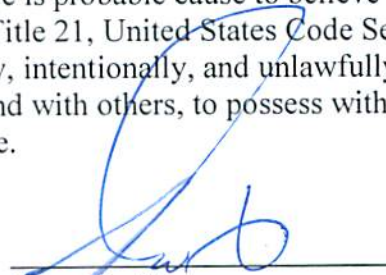
**AFFADAVIT IN SUPPORT OF A CRIMINAL COMPLAINT  
AGAINST ELIJIO GARCIA**

I, Bryan Smith, having been first sworn oath, do duly depose and state as follows:

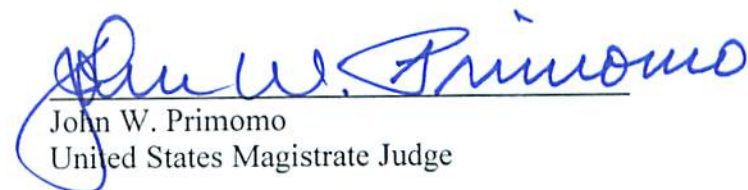
1. I am a Task Force Officer with the Drug Enforcement Administration (DEA) who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in Title 21, United States Code (USC). I am currently assigned to the San Antonio District Office in San Antonio, Texas. During the course of my employment I have been personally involved in numerous drug trafficking investigations. In addition to basic law enforcement training, I have received advanced training in the investigation of drug trafficking organizations, drug trafficking patterns and technique.
2. This affidavit is submitted for the limited purpose of establishing probable cause in support of the attached complaint and therefore contains only a summary of the relevant facts. I have not included each and every fact known by me concerning the individual or event described herein. The information contained in this affidavit is based upon my investigation and that of other law enforcement officers.
3. On September 19, 2015, Agents and Officers conducted a traffic stop in Bexar County. During the course of that traffic stop, Agents and Officers recovered approximately 19 pounds of crystal methamphetamine secreted in a hidden compartment cut into the body of the vehicle under the front passenger seat and center console area.
4. The driver of that vehicle told Agents and Officers that that once he arrived in San Antonio, Texas he would go to a motel. He was then supposed to call a contact in Mexico, who would arrange for someone to meet him within an hour and pick up the vehicle. The vehicle would be taken to an unknown location, the crystal methamphetamine would be removed, and the vehicle would then be returned to him.
5. The driver agreed to call his contact in Mexico so they would send someone to get the vehicle. The driver told the contact in Mexico that he was staying at the Downtown Inn Motel located at 900 North Main Ave, San Antonio, Texas, within the Western District of Texas. The contact in Mexico told the driver that someone was on the way to pick up the vehicle.
6. A short time later, a turquoise Mercury sedan showed up and a Hispanic male, later identified as Elijo **GARCIA**, exited the front passenger seat. The vehicle then departed the motel.
7. **GARCIA** then approached the driver and an undercover officer who was with the driver. The driver told **GARCIA** that the vehicle needed to be unloaded as soon as possible so that the driver could return to Mexico. The driver told **GARCIA** that the hood was open on the vehicle.

**GARCIA** agreed, took possession of the keys, walked to the front on the vehicle and closed the hood. At that time, marked units arrived on scene and placed **GARCIA** under arrest.

8. **GARCIA** was read his Miranda Rights. **GARCIA** then admitted that he has met with the driver on several occasions and taken various vehicles to different locations so that narcotics could be removed. On this date, **GARCIA** was told to pick up the vehicle and take it to an unknown location. **GARCIA** stated that after he picked up the vehicle, he was supposed to stay with the vehicle until he was called and told where to take the vehicle. **GARCIA** was arrested before the unloading location was given to **GARCIA**.
9. Based upon the information set forth above, there is probable cause to believe that on or about September 19, 2015, Eljio **GARCIA** violated Title 21, United States Code Sections 846, 841(a)(1) and 841(b)(1)(A) in that he knowingly, intentionally, and unlawfully conspired, combined, confederated, and agreed together, and with others, to possess with intent to distribute at least 50 grams of methamphetamine.

  
\_\_\_\_\_  
Bryan Smith  
DEA Task Force Officer

Sworn to and subscribed before me on September 21, 2015.

  
\_\_\_\_\_  
John W. Primomo  
United States Magistrate Judge